

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

CHAPTER 13 PLAN COVER SHEET

Filing Date: 10/2/02 Docket #: 02-46025 JBR  
Debtor: Jacalyn S. Nosek Co-Debtor: \_\_\_\_\_  
SS#: 011-44-6055 SS#: \_\_\_\_\_  
Address: 60 Bolton Road Address: \_\_\_\_\_  
So Lancaster, MA 01561 \_\_\_\_\_  
Debtor's Counsel: Philip M. Stone, Esquire  
Address: 44 Front Street  
Worcester, MA 01608  
Telephone #: (508)755-7354  
Facsimile #: (508)752-3730

ATTACHED TO THIS COVER SHEET IS THE CHAPTER 13 PLAN FILED BY THE DEBTOR(S) IN THIS CASE. THIS PLAN SETS OUT THE PROPOSED TREATMENT OF THE CLAIMS OF CREDITORS. THE CLAIMS ARE SET FORTH IN THE BANKRUPTCY SCHEDULES FILED BY DEBTOR(S) WITH THE BANKRUPTCY COURT.

YOU WILL RECEIVE A SEPARATE NOTICE FROM THE BANKRUPTCY COURT OF THE SCHEDULED CREDITORS' MEETING PURSUANT TO 11 U.S.C. SECTION 341. THAT NOTICE WILL ALSO ESTABLISH THE BAR DATE FOR FILING PROOFS OF CLAIMS.

PURSUANT TO THE MASSACHUSETTS LOCAL BANKRUPTCY RULES, YOU HAVE UNTIL THIRTY (30) DAYS AFTER THE SECTION 341 MEETING TO FILE AN OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN, WHICH OBJECTION MUST BE SERVED ON THE DEBTOR, DEBTOR'S COUNSEL AND THE CHAPTER 13 TRUSTEE.

FILED  
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2002 NOV -1 P 3:11  
BANKRUPTCY COURT  
WORCESTER, MA  
ENTERED ON DOCKET  
11/1/02  
10

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

CHAPTER 13 PLAN

Docket # 02-46025 JBR

DEBTORS: ~~XX~~ Jacalyn S. Nosek SS# 011-44-6055  
(W) \_\_\_\_\_ SS# \_\_\_\_\_

TERM OF THE PLAN 60\* Months  
(If the plan is longer than thirty-six (36) months, a statement of cause pursuant to 11 U.S.C. section 1322(d) must be attached hereto.) \*Debtor's income necessitates 5 year Plan.

PLAN PAYMENT: Debtor(s) to pay monthly: \$ 216.00

I. SECURED CLAIMS

A. CLAIMS TO BE PAID THROUGH THE PLAN (INCLUDING ARREARS):

| Creditor                      | Description of claim (pre-petition arrears, purchase money, etc.) | Amount of claim                  |
|-------------------------------|---|----------------------------------|
| <u>Ameriquest Mortgage</u>    | <u>pre-petition arrears</u>                                       | <u>\$ 3,706.50</u>               |
| <u>North American Capital</u> | <u>execution</u>  | <u>\$ 5,419.92 see V-B below</u> |
| _____                         | _____   | <u>\$ _____</u>                  |
| _____                         | _____   | <u>\$ _____</u>                  |

Total of secured claims to be paid through the Plan \$3,706.50

B. CLAIMS TO BE PAID DIRECTLY TO CREDITORS (Not through Plan):

| Creditor                        | Description of Claim            |
|---------------------------------|---------------------------------|
| <u>Ameriquest Mortgage Corp</u> | <u>monthly mortgage payment</u> |
| _____                           | _____                           |
| _____                           | _____                           |
| _____                           | _____                           |

II. PRIORITY CLAIMS

| Creditor                    | Description of claim     | Amount of claim     |
|-----------------------------|--------------------------|---------------------|
| <u>Town of Lancaster</u>    | <u>real estate taxes</u> | <u>2,480.41</u>     |
| <u>Mass Dept of Revenue</u> | <u>income taxes</u>      | <u>undetermined</u> |

Total of priority claims to be paid through the plan \$ 2,480.41

III. ADMINISTRATIVE CLAIMS

A. Attorneys fees (to be paid through the plan): \$ \_\_\_\_\_  
(to be paid in first 12 months of plan)

B. Miscellaneous fees:

| Creditor | Description of claim | Amount of claim |
|----------|----------------------|-----------------|
| _____    | _____                | _____           |
| _____    | _____                | _____           |

C. The chapter 13 trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% trustee's commission. In the event that the trustee's commission is less than 10%, the additional funds collected by the trustee shall be disbursed to unsecured creditors up to 100% of the allowed claims.

IV. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 10 % of their claims.

A. General unsecured claims: \$ 33,501.22 (DOR disputed)

B. Undersecured claims arising after lien avoidance/cramdown:

| Creditor                           | Description of claim      | Amount of Claim |
|------------------------------------|---------------------------|-----------------|
| <u>North American Capital Corp</u> | <u>recorded execution</u> | <u>5,419.92</u> |

Total of A + B general unsecured claims: \$ 38,921.14

C. Multiply total by percentage of dividend: \$ 3,892.11  
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

D. Separately classified unsecured claims (co-borrower/student loan, etc.):

| Creditor  | Description of claim        | Amount of claim           |
|---|-----------------------------|---------------------------|
| <u>Sallie Mae Servicing</u>   | <u>student loan</u>         | <u>\$1,575.48</u>         |
| <u>                    </u>   | <u>                    </u> | <u>\$                </u> |
| <u>                    </u>   | <u>                    </u> | <u>\$                </u> |
| Total amount of separately classified claims payable at <u>100</u> %: |                             | <u>\$ 1,575.48</u>        |

## V. OTHER PROVISIONS

A. Liquidation of assets to be used to fund plan: \_\_\_\_\_

B. Modification of Secured Claims: Set forth details of modifications below or on attached sheets. This information should include name of creditor and detailed explanation of the modification. The total amount of the secured claim that is to be paid through the plan (inclusive of interest) should be set forth in Section I of this Plan.

Secured lien of North American Capital Corp in the amount of \$5,419.92 to  
be voided as impairing real estate exemption and claim to be treated as  
unsecured payable @ 10%

C. Miscellaneous provisions: At this time, Debtor does not anticipate there will be any tax liabilities resulting from her filing tax returns for the period of 1991-2001.

## VI. CALCULATION OF PLAN PAYMENT

a. Secured claims (Section I-A Total): \$ 3,706.50

b. Priority claims (Section II Total): +\$ 2,480.41

c. Administrative claims (Section III A + B Total): +\$           

d. General unsecured claims (Section IV-C Total): +\$ 3,892.11

e. Separately classified unsecured claims  
(Section IV-D Total): +\$ 1,575.48

f. Total of (a) through (e) above: =\$ 11,655.

g. Divide (f) by .90 for total including  
Trustee's fee: Cost of Plan =\$ 12,950.

h. Divide (g) Cost of Plan by Term of plan: 60 months

i. Round up to nearest dollar: Monthly Plan Payment: \$ 216.00  
(Enter this amount on page 1)

Pursuant to 11 U.S.C. section 1326(a)(1), unless the Court orders otherwise, a debtor shall commence making the payments proposed by a plan within thirty (30) days after the plan is filed.

LIQUIDATION ANALYSIS

I. Real Estate:

| Address                                   | Fair Market Value  | Recorded Liens<br>(Schedule D) |
|---|--------------------|--------------------------------|
| <u>60 Bolton Road</u>                     | <u>\$ 165,000.</u> | <u>\$ 112,931.</u>             |
| <u>So Lancaster, MA</u>                   |                    |                                |
| <u>                                  </u> | <u>\$</u>          | <u>\$</u>                      |
| <u>                                  </u> | <u>\$</u>          | <u>\$</u>                      |

Total Net Equity for Real Property: \$ 52,069.

Less Exemptions (Schedule C): \$ 56,490.

Available Chapter 7: \$ 0

II. Automobile (Describe year, make and model):

|                           |                      |                     |                          |
|---------------------------|----------------------|---------------------|--------------------------|
| <u>1988 Mercury Sable</u> | Value \$ <u>0</u>    | Lien \$ <u>---</u>  | Exemption \$ <u>--</u>   |
| <u>1990 Chevrolet</u>     | Value \$ <u>700.</u> | Lien \$ <u>----</u> | Exemption \$ <u>700.</u> |

Net Value of Equity: \$ 700.

Less Exemptions (Schedule C): \$ 700.

Available Chapter 7: \$ 0

III. All Other Assets (All remaining items on Schedule B):  
(Itemize as necessary) deposits, furnishings, clothing, personal possessions,  
jewelry, camera, annuity, office equipment

Value: \$ 4,170. Less Exemptions (Schedule C): \$ 4,145.

Available Chapter 7: \$ 25.

SUMMARY (Total amount available under Chapter 7):

Net Equity (I and II) Plus Other Assets (III) less all claimed  
exemptions: \$ 25.00

Additional Comments regarding Liquidation Analysis:

Pursuant to the Chapter 13 rules, the debtor or his or her counsel  
is required to serve a copy of the Amended Plan upon the Chapter 13  
Trustee, all creditors and interested parties, and to file a  
certificate of service accordingly.

Philip M. Stone  
Debtor's counsel Philip M. Stone

Nov. 1, 2002  
Date

Address: 44 Front Street  
Worcester, MA 01608

Telephone#: (508)755-7354

I/~~WE~~ DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING  
REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR  
KNOWLEDGE AND BELIEF.

Jerry S. Stone  
Debtor

11-01-02  
Date

Debtor

Date

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION

\_\_\_\_\_  
In re:

Jacalyn S. Nosek  
Debtor  
\_\_\_\_\_

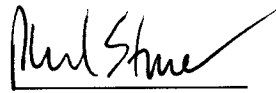
Chapter 13  
Case No.: 02-46025-JBR

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2002 NOV - 1 P 3:11  
BANKRUPTCY COURT  
WORCESTER, MA

CERTIFICATE OF SERVICE

I, Philip M. Stone, Esquire do hereby certify that on this day I forwarded a copy of Debtor's Proposed Chapter 13 Plan by mailing same first class, postage prepaid to the attached service list and to:

Chapter 13 Trustee  
44 Front Street  
Worcester, MA 01601  
(BY HAND)

  
\_\_\_\_\_  
Philip M. Stone

DATED: November 1, 2002

Jacalyn S. Nosek  
P.O. Box 1311  
Lancaster, MA 01561

Denise M. Pappalardo  
P.O. Box 16607  
Worcester, MA 01601

Shannon A. Chlarson  
Buchalter, Nemer,  
P.O. Box 8129  
Newport Beach, CA 92660

AT & T Customer Fin Services  
P.O. Box 16700  
Mesa, AZ 85211

American Express Centurion  
P.O. Box 297884  
Ft Lauderdale, FL 33329

Arrow Financial Services  
7031 North Lincoln Ave  
Lincolnwood, IL 60712

Associates National Bank  
P.O. Box 142319  
Irving, TX 75014

Bank of America  
P.O. Box 2493  
Norfolk, VA 23501

Becket & Lee LLP  
P.O. Box 3001  
Malvern, PA 19355

Buchalter,Nemer,Fields et al  
P.O. Box 8129  
Newport Beach, CA 92658

Capital One Services Inc  
P.O. Box 85015  
Richmond, VA 23285

Collectcorp  
300 Pearl Street, Ste 200  
Buffalo, NY 14202

Discover  
P.O. Box 15192  
Wilmington, DE 19850

✓ Great Lakes Collection Bureau  
45 Oak St  
Buffalo, NY 14203

✓ Gulf State Credit LLC  
P.O. Box 105460  
Atlanta, GA 30348

Hurley State Bank-Comp City  
c/o Boyd & Boyd, P.C.  
1185 Falmouth Road  
Centerville, MA 02632

Lane Bryant/WFNNB  
P.O. Box 659407  
San Antonio, TX 78265

Leasecomm Corporation  
c/o Peter DaMore, Jr.  
11 Bedford Street  
Burlington, MA 01803

National Grid/Mass Electric Co  
R & A Bankruptcy,  
55 Bearfoot Road  
Northboro, MA 01532

North American Capital  
c/o Gary Kreppel, Esquire  
1661 Worcester Road  
Framingham, MA 01701

Norwest Bank Minnesota,NA, Tr  
c/o Steven A. Ablitt, Esq.  
333 North Avenue, 4th floor  
Wakefield, MA 01880

OSI Collection Services  
P.O. Box 957  
Brookfield, WI 53008

Sallie Mae Servicing  
P.O. Box 6229  
Indianapolis, IN 46206

Verizon  
185 Franklin St, Room 903  
Boston, MA 02110

✓ Washington National Insurance  
P.O. Box 9019  
Kokomo, IN 46904

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Boston, MA 02210

Comm of Mass Det  
Attn Chief Counsel  
Hurley Bldg - Govt Center  
Boston MA 02114

Mass Dept of Revenue  
Bankruptcy Unit  
P0 Box 9484  
Boston MA 02205

US Trustee  
Franklin Square Tower  
600 Main Street Suite 200  
Worcester MA 01608

Tax Collector  
City or Town Hall  
South Lancaster, MA 01561



American Express Optima  
Acct# 3722 6220 6831006  
P.O. Box 297884  
Ft Lauderdale, FL 33329-7884

Ameriquest Mortgage Company  
#0004219515  
P.O. Box 5646  
Orange, CA 92863

Financial Credit Corp  
c/o Academy Coll Service Inc  
10965 Decatur Road  
Philadelphia, PA 19154-3210

Town of Lancaster  
Tax Collector  
695 Main St  
Lancaster, MA 01523